

# NOTICE REGARDING EVICTION CASES IN DOUGLAS COUNTY COURT

## Important – Please Read Carefully

**To All Tenants:** You are the defendant/respondent in this case. You have this paperwork because your landlord (the plaintiff), has filed a court case to evict you. **The date and time listed on your Summons is a deadline, it is not a court date.** You can take action before the deadline.

**Here Are Some Options You Have:** Please note, the below information is being provided as a courtesy to assist you. This information is not intended to be legal advice and does not include every possible defense to eviction.

Option 1 - DO NOTHING	Option 2- REACH AN AGREEMENT	Option 3 - FILE AN ANSWER
<p>If you don't do anything, after your Summons date has passed, the landlord/landlord's attorney will request an order for possession from the court to proceed with the eviction.</p> <p>Once the order is signed by the Court and 48 hours has passed, the landlord/attorney may request a writ of restitution. The Sheriff must wait 10 days before executing the writ, giving you time to move. If you receive SSI, SSDI, or Cash Assistance through Colorado Works Program, the time frame is 30 days.</p>	<p>You can contact the landlord or the landlord's attorney to try to reach an agreement. The contact information for the landlord or their attorney is listed on the upper left-hand side of the first page of the Summons and Complaint you received.</p> <p>The landlord or landlord's attorney is not required to reach an agreement with you and the Court cannot make the landlord or their attorney communicate or come to an agreement with you.</p>	<p>If you do not believe that you should be evicted, file an answer on or before your Summons date. You have until the end of business (4:30 PM) to file your answer with the Court.</p> <p>When you file an Answer, there is a filing fee of \$80 or you must complete a Motion to File without Payment of Filing Fee. With your answer, you are asking for a trial/hearing and for the facts and the evidence to be heard by a judicial officer.</p> <p>Starting January 1, 2024, you can file an answer through the Colorado Courts E-Filing system, even if you do not have an attorney. Please go to <a href="http://www.courts.state.co.us">www.courts.state.co.us</a> and click on E-Filing for non-Attorneys for further information on how to use this system.</p>

### Read this entire document before filing an answer:

1. To file an Answer, complete the Answer form you received.
2. File your answer A) in person or B) via U.S. mail addressed to the Clerk of Court at 4000 Justice Way, Ste. 2009, Castle Rock, CO 80109. The Answer must arrive at the court before your Summons date. Your answer must be filed with A) either the filing fee in the form of a check or money order payable to the Clerk of Court or B) a completed fee waiver and application.
3. If you are requesting to file an Answer for free, you will have to submit the fee waiver paperwork.
4. **INCLUDE A TELEPHONE NUMBER AND E-MAIL ON YOUR ANSWER.**
5. Filing fees for an answer are not refundable.
6. After your answer is filed, it will be reviewed by the judicial officer. You will receive an Order advising on how to proceed.
7. Regardless of if your hearing is virtual or in person, if you do not attend, a default judgment will be entered against you, and you will be evicted.
8. **If you are disconnected or if there is a technology failure, you can contact the court at 720-437-6200 choose option 3 then press 3 or email [DouglasClerk@judicial.state.co.us](mailto:DouglasClerk@judicial.state.co.us)**

## More Help

If you need more information, you can log on to the virtual/WebEx room listed below. **This is not a hearing. A judge will not hear your case.** It is an opportunity to review information and ask questions on how to file your Answer or the other options given above. To appear from your mobile device, scan the QR Code below – then click on “Join Meeting”.



To appear from a computer click on meeting link: <https://judicial.webex.com/join/d18-doug-evictionreturns>

Meeting number (access code): 2660 314 6369

**Join from a video conferencing system or application**

Dial: [d18-doug-evictionreturns@judicial.webex.com](mailto:d18-doug-evictionreturns@judicial.webex.com)

**Join by phone**

Tap to call in from a mobile device (attendees only)

[+1-720-650-7664](tel:+17206507664) Access code: 2660 314 6369 then press #, # (no attendee ID is needed)

If you are disconnected or if there is a technology failure, you can contact the court at 720-437-6200 choose option 3 then press 3 or email [DouglasClerk@judicial.state.co.us](mailto:DouglasClerk@judicial.state.co.us)

## Frequently Asked Questions and Answers:

- 1) **If you need more time to find an attorney:** Colorado law does not allow continuances to give you time to find an attorney. You are not entitled to a court-appointed/free attorney.
- 2) **If you have an excuse for your rent being late:** Colorado law does not excuse late rent payments or partially unpaid rent due to job loss, illness, Covid, stolen rent money or any other reason.
- 3) **If you just need more time:** the judicial officer has no authority to give you more time to move out. Requesting more time to move or pay rent on your answer is not a defense and will not stop an eviction from being ordered. The Court cannot grant you more time because you cannot find another place to live, even if you are disabled or have children. No continuances are allowed unless the landlord agrees.
- 4) **If you think you were not properly served:** if you wish to go trial to challenge the eviction because you think you were improperly served, you must write that in your Answer or file a written motion with the Court before the day of your scheduled trial asking the Court to decide if service was correctly made.
- 5) **If you want a jury trial:** You will only get a jury trial as to money damages, which is usually a claim for past due rent and/or property damage. You do not have a right to a jury to decide if you should be evicted. You must ask for a jury trial in your answer.
- 6) **If your lease has ended or has been terminated:** the only defense to eviction for a lease that has ended is proof of a new lease or proof that the old lease was extended.
- 7) **If you have a claim that the property was not maintained or is not fit to live in:** if you did not pay rent because you think the Landlord did not repair or maintain the property, you may have to pay past-due rent—minus your expenses—into the court registry (court account) when you file your answer. If you cannot pay the amount because you are indigent (penniless), you must notify the Court in writing and the Court will hold a hearing to decide if you qualify to have the amount due waived.